



**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
MARION COUNTY
SHERIFF'S SETTLEMENT - 1999 TAXES**

April 21, 2000

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EXECUTIVE SUMMARY

MARION COUNTY CARROLL KIRKLAND, COUNTY SHERIFF SHERIFF'S SETTLEMENT – 1999 TAXES APRIL 21, 2000

Audit Results:

The Sheriff overpaid the Airboard Taxing District in the amount of \$1,166, and is due a refund.

The following additional 1999 taxes are due to the taxing districts: State \$26, County \$14, School \$77, Library \$1,172, Health \$5, and Extension \$3.

Interest Earned:

The Sheriff earned \$6,357 as interest income on 1999 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder will be used to operate the Sheriff's office.

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Edward B. Hatchett, Jr.
Auditor of Public Accounts

To the People of Kentucky

Honorable Paul E. Patton, Governor

John P. McCarty, Secretary

Finance and Administration Cabinet

Mike Haydon, Secretary, Revenue Cabinet

Honorable David R. Hourigan, Marion County Judge/Executive

Honorable Carroll Kirkland, Marion County Sheriff

Members of the Marion County Fiscal Court

Independent Auditor's Report

We have audited the Marion County Sheriff's Settlement - 1999 Taxes as of April 21, 2000. This tax settlement is the responsibility of the Marion County Sheriff. Our responsibility is to express an opinion on the financial statement based on our audit.

We conducted our audit in accordance with generally accepted Government Auditing Standards and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The Sheriff prepares his financial statement on a prescribed basis of accounting that demonstrates compliance with the cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Marion County Sheriff's taxes charged, credited, and paid as of April 21, 2000, in conformity with the basis of accounting described in the preceding paragraph.

To the People of Kentucky
Honorable Paul E. Patton, Governor
John P. McCarty, Secretary
Finance and Administration Cabinet
Mike Haydon, Secretary, Revenue Cabinet
Honorable David R. Hourigan, Marion County Judge/Executive
Honorable Carroll Kirkland, Marion County Sheriff
Members of the Marion County Fiscal Court

In accordance with Government Auditing Standards, we have also issued a report dated August 7, 2000, on our consideration of the Sheriff's compliance with certain laws and regulations and internal control over financial reporting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett", with a long horizontal flourish extending to the right.

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
August 7, 2000

MARION COUNTY
CARROLL KIRKLAND, SHERIFF
SHERIFF'S SETTLEMENT - 1999 TAXES

April 21, 2000

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Real Estate	\$ 367,878	\$ 389,176	\$ 2,120,137	\$ 717,692
Tangible Personal Property	31,638	30,593	138,451	178,490
Intangible Personal Property				105,009
Fire Protection	1,152			
Franchise Corporation	51,653	50,333	233,592	
Limestone, Sand, and Gravel Reserves	91	97	527	178
Additional Billings	16	17	94	32
Bank Franchise Corporation	48,383			
Increased Through Erroneous Assessments	297	314	1,710	898
Penalties	2,533	2,669	14,476	5,178
Adjusted to Sheriff's Receipt	<u>(88)</u>	<u>(70)</u>	<u>(534)</u>	<u>(195)</u>
Gross Chargeable to Sheriff	<u>\$ 503,553</u>	<u>\$ 473,129</u>	<u>\$ 2,508,453</u>	<u>\$ 1,007,282</u>
<u>Credits</u>				
Discounts	\$ 6,247	\$ 5,526	\$ 29,676	\$ 14,057
Exonerations	2,045	2,162	11,765	5,951
Delinquents:				
Real Estate	5,555	5,860	31,923	10,787
Tangible Personal Property	316	306	1,383	1,160
Intangible Personal Property				351
Uncollected Franchise Corporation	<u>981</u>	<u>857</u>	<u>4,201</u>	
Total Credits	<u>\$ 15,144</u>	<u>\$ 14,711</u>	<u>\$ 78,948</u>	<u>\$ 32,306</u>
Net Tax Yield	\$ 488,409	\$ 458,418	\$ 2,429,505	\$ 974,976
Less: Commissions *	<u>21,045</u>	<u>19,483</u>	<u>91,106</u>	<u>41,724</u>
Net Taxes Due	\$ 467,364	\$ 438,935	\$ 2,338,399	\$ 933,252
Taxes Paid	466,947	438,499	2,336,017	932,362
Refunds (Current and Prior Year)	<u>403</u>	<u>421</u>	<u>2,305</u>	<u>864</u>
Due Districts or (Refund Due Sheriff) as of Completion of Fieldwork	<u>\$ 14</u>	<u>\$ 15</u>	<u>\$ 77</u>	<u>\$ 26</u>

* and ** See Page 3

MARION COUNTY
CARROLL KIRKLAND, SHERIFF
SHERIFF'S SETTLEMENT - 1999 TAXES
April 21, 2000
(Continued)

* Commissions:

10% on	\$	10,000
4.25% on	\$	1,911,803
3.75% on	\$	2,429,505

** Special Taxing Districts:

Library District	\$	1,172
Health District		5
Extension District		3
Airboard District		(1,165)
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Due Districts or (Refund Due Sheriff)	\$	<u>15</u>
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The accompanying notes are an integral part of the financial statement.

MARION COUNTY
NOTES TO FINANCIAL STATEMENT

April 21, 2000

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of November 3, 1999, the Sheriff's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the Sheriff's agent in the Sheriff's name, or provided surety bond which named the Sheriff as beneficiary/obligee on the bond.

MARION COUNTY
NOTES TO FINANCIAL STATEMENT
April 21, 2000
(Continued)

Note 3. Property Taxes

The real and personal property tax assessments were levied as of January 1, 1999. Property taxes were billed to finance governmental services for the year ended June 30, 2000. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 22, 1999 through April 21, 2000.

Note 4. Interest Income

The Marion County Sheriff earned \$6,357 as interest income on 1999 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder will be used to operate the Sheriff's office.

REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



Edward B. Hatchett, Jr. Auditor of Public Accounts

Honorable David R. Hourigan, Marion County Judge/Executive
Honorable Carroll Kirkland, Marion County Sheriff
Members of the Marion County Fiscal Court

Report On Compliance And On Internal Control Over Financial Reporting Based On An Audit Of The Financial Statement Performed In Accordance With Government Auditing Standards

We have audited the Marion County Sheriff's Settlement - 1999 Taxes as of April 21, 2000, and have issued our report thereon dated August 7, 2000. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Marion County Sheriff's Settlement - 1999 Taxes as of April 21, 2000 is free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Marion County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be a material weakness.

Honorable David R. Hourigan, Marion County Judge/Executive
Honorable Carroll Kirkland, Marion County Sheriff
Members of the Marion County Fiscal Court
Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party. However, this report, upon release by the Auditor of Public Accounts, is a matter of public record and its distribution is not limited.

Respectfully submitted,

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Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
August 7, 2000

